

January 27, 2011

Bill Pope  
Operating Engineers Local Union No. 3  
1654 The Alameda, Suite 110  
San Jose, CA 95126

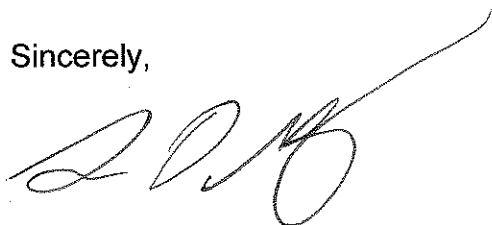
**Re: Fiscal Year 2011-2012 Negotiations**

Dear Mr. Pope:

We are in receipt of your letter dated January 26, 2011, which indicates that you have availability on January 31, 2011 to commence negotiations. Unfortunately, due to the delay in responding to our January 18<sup>th</sup> letter, we have already scheduled negotiations with other bargaining units for that day. However, we are still available to meet on February 2, 2011, and will be available from 3:00 p.m. to 4:00 p.m.

Please feel free to contact me should you have any questions.

Sincerely,



Gina Donnelly  
Deputy Director of Employee Relations

c: Alex Gurza, Director of Employee Relations  
Jennifer Schembri, Senior Executive Analyst